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## ZONING CHANGE REVIEW SHEET

CASE NUMBER: C14H-07-0001

HLC DATE:

February 26, 2007

ZAP DATE:

May 1, 2007

APPLICANT: Frederick and Ann Dure

HISTORIC NAME: Shelby-Matthews-Bergquist House

WATERSHED: Shoal Creek

ADDRESS OF PROPOSED ZONING CHANGE: 2705 Oakhurst Avenue

ZONING FROM: SF-3

TO: SF-3-H

SUMMARY STAFF RECOMMENDATION: Staff recommends the proposed zoning change from single family residence (SF-3) district to single family residence – Historic (SF-3-H) combining district zoning.

HISTORIC LANDMARK COMMISSION ACTION: Recommended the proposed zoning change from single family residence (SF-3) district to single family residence – Historic (SF-3-H) combining district zoning. Vote: 8-0 (Limbacher ill).

ZONING AND PLATTING COMMISSION ACTION: Recommended the proposed zoning change from single family residence (SF-3) district to single family residence – Historic (SF-3-H) combining district zoning. Vote: 7-0 (Martinez absent, Baker abstaining).

DEPARTMENT COMMENTS: The Shelby-Matthews-Bergquist House is outside of the bounds of the Comprehensive Cultural Resources Survey (1984).

CITY COUNCIL DATE: May 17, 2007

ACTION:

ORDINANCE READINGS: 1<sup>ST</sup> 2<sup>ND</sup> 3<sup>RD</sup>

ORDINANCE NUMBER:

CASE MANAGER: Steve Sadowsky

PHONE: 974-6454

NEIGHBORHOOD ORGANIZATION: Pemberton Heights Neighborhood Association

### BASIS FOR RECOMMENDATION:

The ca. 1935 Shelby-Matthews-Bergquist House is a good example of a brick Tudor Revival bungalow, a relatively rare style in Austin, and for its associations with Joe Shelby, a designing engineer for the Texas Highway Department and a co-founder of the Texas Society of Professional Engineers, Henry Matthews, the vice-president of Kerrville Bus Lines; and Howard and Arloa Bergquist, the manager of Austin's Better Business Bureau and a research scientist in the area of biochemical genetics in UT's Department of Zoology, respectively.

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**Architecture:**

One-and-a-half story L-plan brick veneered Tudor Revival-style bungalow with a composition shingle roof, prominent Tudor Revival front gable with a "catslide" roof; paired and triple 3:1 Craftsman-style windows; round-arched doorway; false half timbering in the tympanum of the side gable; and a shed dormer, all distinguishing characteristics of the Tudor Revival style.

Tudor Revival was one of the most popular "period revival" styles in residential architecture in the United States from the 1920s through the 1940s. The Tudor Revival style hoped to re-create the ambience of traditional English building forms as a symbol of both stability and romanticism. Many cities, such as Dallas, have entire neighborhoods of Tudor Revival houses; in Austin, the style is more rare, especially in the smaller cottage form as this house.

**Historical Associations:**

The house was built in 1935 by Milton Burney for Joe and Ida Shelby. Burney was one of Austin's premier builders, and his work has not yet been commemorated with a city historic landmark designation. Milton Burney (1894-1981) was born in Kerr County and came to Austin around 1930 where worked as a contractor, while his wife Ida sold real estate. The Burneys lived in the Pemberton Heights area, and were responsible for the sale and construction of many new homes in the neighborhood. Their client at 2705 Oakhurst was Joe Shelby, who was a design engineer for the Texas Highway Department, and a co-founder of the Texas Society of Professional Engineers. The Shelby family lived in the house for only a short time; it then was sold a few times to people who did not live there for more than a few years. The house was purchased in 1945 by Henry Mathews (1910-1983). Matthews, born in Hillsboro, was a bus driver between Austin and Houston for the Kerrville Bus Lines. Matthews was apparently very adept at the bus business, and soon became vice-president of the company. The Matthews family moved from this house in 1949, but soon returned to Oakhurst, buying the house at 2701 Oakhurst in 1952. Matthews sold the property to Howard and Arloa Bergquist, who had moved to Austin from Pennsylvania for cleaner air. Bergquist became the manager of the Austin Better Business Bureau in 1950, which grew dramatically during the 12 years of his tenure there. His wife Arloa, was a research scientist working in biochemical genetics in UT's Department of Zoology, supervising the research library.

The house at 2705 Oakhurst has been home to a number of influential people in Austin, in the growth of transportation, better business practices, and university research.

**PARCEL NO.:** 02170001010000

**LEGAL DESCRIPTION:** Lot 10, Block 2, Edgemont Addition.

**ANNUAL TAX ABATEMENT:** \$10,223 (owner-occupied); city portion: \$2,000

**APPRAISED VALUE:** \$707,477

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**PRESENT USE:** Residence

**CONDITION:** Excellent

**PRESENT OWNER**

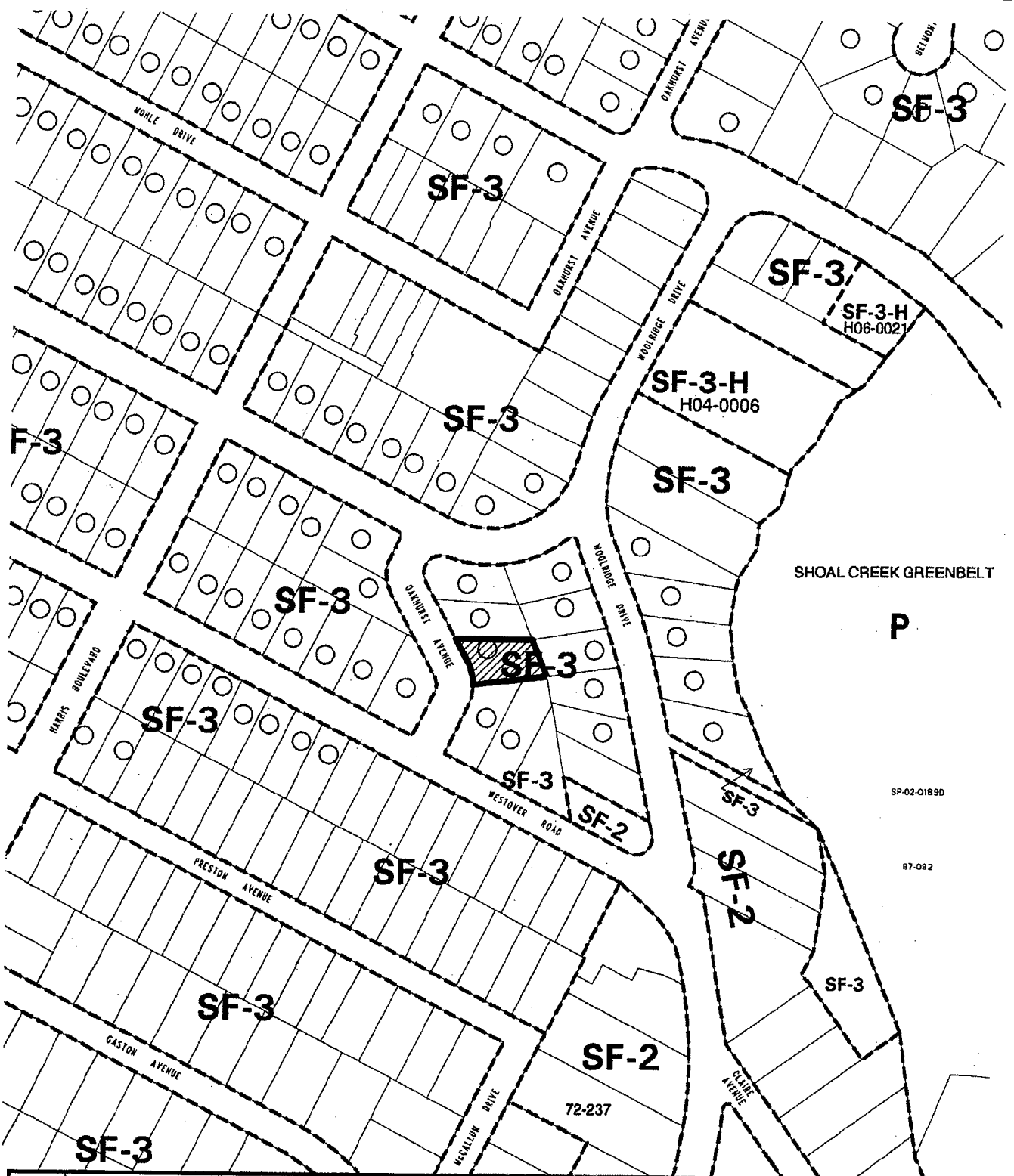
L. Frederick and Ann M. Dure  
2705 Oakhurst Avenue  
Austin, Texas 78703



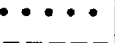

**DATE BUILT:** ca. 1935

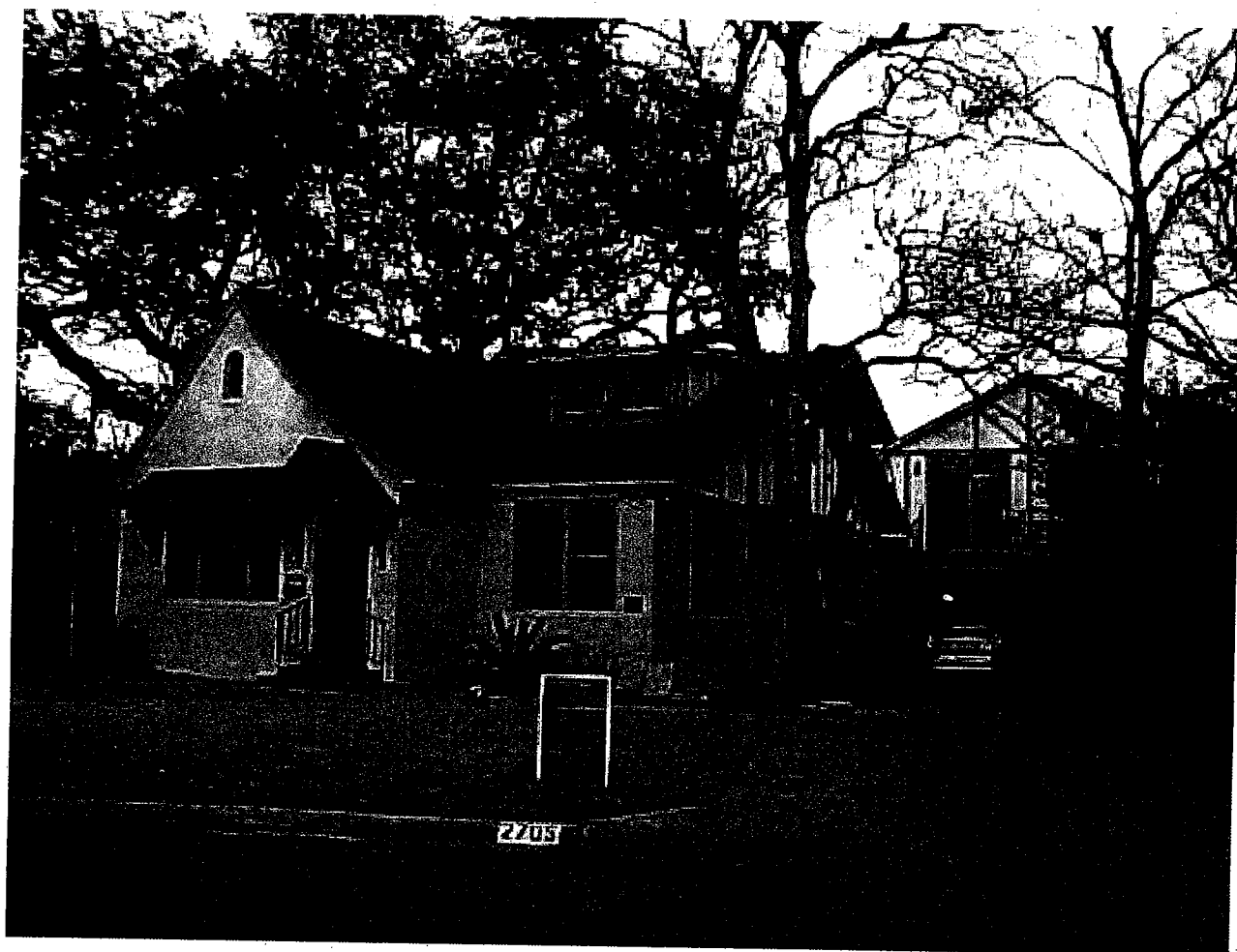
**ALTERATIONS/ADDITIONS:** Recent rehabilitation of the house has retained its historic character. The detached garage was demolished in 2004 and a new two-story garage apartment has been built in its place.

**ORIGINAL OWNER(S):** Joe and Ida Shelby (1935)

**OTHER HISTORICAL DESIGNATIONS:** Contributing to the Old West Austin National Register Historic District.



 1" = 200'	SUBJECT TRACT		HISTORIC ZONING		CITY GRID REFERENCE NUMBER H25
	PENDING CASE				
	ZONING BOUNDARY		CASE #: C14H-07-0001	DATE: 07-02	
	CASE MGR: S. SADOWSKY	ADDRESS: 2705 OAKHURST AVE	INTLS: SM		
	SUBJECT AREA (acres): N/A				



Shelby-Matthews-Bergquist House  
2705 Oakhurst Avenue  
ca. 1935

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January 23, 2006

## **Historic Landmark Submittal for the "Shelby House"**

L. Frederick & Ann M. Dure  
2705 Oakhurst Avenue, Austin

### **General Background**

Fred & Ann Dure purchased the house at 2705 Oakhurst Avenue in February of 2002. The property was looked at several times and was particularly attractive due to its distinctive character, Tudor Revival Bungalow design, and quaint location. The house was unique and offered an opportunity to live in an historic home in a neighborhood that was pursuing Historic District status.

The Shelby House had no significant upgrades since it was built in 1935. It was in need of a significant renovation to render it a functional, comfortable and energy efficient home for its eighth decade and more to follow. It was a sound, well built home on traditional pier and beam foundation, but was in relative disrepair and obsolescence. The house was a potential candidate for tear down. We initiated a renovation while maintaining the look, structure and historic nature. Renovation included central heat and A/C, wall and ceiling insulation, new electrical and plumbing, aluminum-clad windows and asphalt shingles. True to Tudor Revival style architecture; the decorative false timbering and stucco was mimicked, original wood floors refinished, Tudor style arched front door and entry refinished, original front railings and steps refinished. The result was a comfortably formatted house that had all the look and feel of the original 1935 construction and still as quaint as before.

### **Historic Landmark Justification**

There are three primary reasons for justifying City Historic Landmark status for the Shelby House. All are equally important and when considered together present a compelling story for Landmark status.

First, the structure is a fine example of the Tudor Revival Bungalow style architecture. Though there are a number of Tudor Revival houses built in Austin during the 1930s, there are very few of the smaller scale Bungalow style, particularly in brick veneer.

Second, the structure is representative of an active Texas builder, Milton Burney, who constructed many houses in the Central Austin additions of Edgemont, Westfield and Rosedale in the 1930s. Milton and his wife Ida (who was a real estate agent) both were descendents of notable Texans dating back to the mid 1800s. The Burneys' were a founding family of Kerr County, a number of which held prominent county and state positions. Ida's family were the well known Garretts (paternal) and Maffetts (maternal).

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Third, the procession of occupants of the Shelby House from 1935 through 2002 is a reflection of the life and livelihood of Austin during that period. Starting with Joe Shelby, a talented engineer finding a 37 year career with the Texas Highway Department as Texas was focusing on constructing a progressive highway infrastructure for the public. Then there was Henry Mathews who started out driving buses with the Kerrville Bus Company and 30 years later retired as Vice-President. And finally the Bergquists, who moved from Pennsylvania to Austin for the quality of life, the University of Texas and the business opportunities of a growing city. Howard managed the growth of the newly formed Better Business Bureau through the early 60s. And Arloa, when most women were homemakers, held a position as a Research Engineer-Scientist with the Department of Zoology at the University for 25 years.

Shelby House has been a snapshot of life and history in both Austin and Texas. It is an example of what makes both what they are today and why it needs to be recognized for the future.

OK to go  
S. Seabury  
1-2-07

## A. APPLICATION FOR HISTORIC ZONING

### PROJECT INFORMATION:

DEPARTMENTAL USE ONLY	
APPLICATION DATE: <u>01/04/07</u>	FILE NUMBER(S): <u>C14h-07-0001</u>
TENTATIVE HLC DATE: _____	
TENTATIVE PC or ZAP DATE: _____	
TENTATIVE CC DATE: _____	
CASE MANAGER: <u>Steve S.</u>	CITY INITIATED: YES / NO
APPLICATION ACCEPTED BY: <u>Shawn Pope</u>	ROLLBACK: YES/NO

### BASIC PROJECT DATA:

1. OWNER'S NAME: L. Frederick & Ann M. Dure
2. PROJECT NAME: Shelby House
3. PROJECT STREET ADDRESS (or Range): 2705 Oakhurst Avenue  
ZIP 78703 COUNTY: Travis
- IF PROJECT ADDRESS CANNOT BE DEFINED ABOVE:  
LOCATED \_\_\_\_\_ FRONTAGE FEET ALONG THE N. S. E. W. (CIRCLE ONE) SIDE OF  
\_\_\_\_\_ (ROAD NAME PROPERTY FRONTS ONTO), WHICH IS  
APPROXIMATELY \_\_\_\_\_ DISTANCE FROM ITS  
INTERSECTION WITH \_\_\_\_\_ CROSS STREET.

### AREA TO BE REZONED:

4. ACRES _____	(OR)	SQ.FT. 8200			
5. ZONING AND LAND USE INFORMATION:					
EXISTING ZONING	EXISTING USE	TRACT# (IF MORE THAN 1)	ACRES / SQ. FT.	PROPOSED USE	PROPOSED ZONING
SF-3	Domestic	_____	8200 sq ft	Domestic	SF-3-H
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

### RELATED CURRENT CASES:

6. ACTIVE ZONING CASE?	(NO)	FILE NUMBER:	_____
7. RESTRICTIVE COVENANT?	(NO)	FILE NUMBER:	_____
8. SUBDIVISION?	(NO)	FILE NUMBER:	_____
9. SITE PLAN?	(NO)	FILE NUMBER:	_____



**PROPERTY DESCRIPTION (SUBDIVISION REFERENCE OR METES AND BOUNDS):**

**10a. SUBDIVISION REFERENCE:** Name: Edgemont Addition (Filed March 28, 1927)  
Block 2 Lot 10

Plat Book: Volume 3 Page Number: 131

**10b. METES AND BOUNDS** (Attach two copies of certified field notes if subdivision reference is not available or zoning includes partial lots)

**DEED REFERENCE CONVEYING PROPERTY TO PRESENT OWNER AND TAX PARCEL I.D.:**

**11. DOCUMENT #** (2002 recording): 2002036919 **TAX PARCEL I.D. NO.** 211019

**OTHER PROVISIONS:**

**12. IS PROPERTY IN A ZONING COMBINING DISTRICT / OVERLAY ZONE?** NO  
TYPE OF COMBINING DIST/OVERLAY ZONE (NCCD,NP, etc)

**13. LOCATED IN A LOCAL OR NATIONAL REGISTER HISTORIC DISTRICT?** YES (OWAHD)

**14. IS A TIA REQUIRED?** NO (NOT REQUIRED IF BASE ZONING IS NOT CHANGING)

TRIPS PER DAY: \_\_\_\_\_

TRAFFIC SERIAL ZONE(S): \_\_\_\_\_

**OWNERSHIP TYPE:**

**15.** ☐ SOLE ☒ COMMUNITY PROPERTY ☐ PARTNERSHIP ☐ CORPORATION ☐ TRUST

If ownership is other than sole or community property, list individuals/partners/principals below or attach separate sheet.

**OWNER INFORMATION:**

**16. OWNER CONTACT INFORMATION**

SIGNATURE: *L. Frederick & Ann M. Dure* NAME: L. Frederick & Ann M. Dure  
FIRM NAME: \_\_\_\_\_ TELEPHONE NUMBER: 512-480-9270  
STREET ADDRESS: 2705 Oakhurst Avenue  
CITY: Austin STATE: TX ZIP CODE: 78703  
EMAIL ADDRESS: frederick.dure@sbcglobal.net

**AGENT INFORMATION (IF APPLICABLE):**

**17. AGENT CONTACT INFORMATION**

SIGNATURE: \_\_\_\_\_ NAME: \_\_\_\_\_  
FIRM NAME: \_\_\_\_\_ TELEPHONE NUMBER: \_\_\_\_\_  
STREET ADDRESS: \_\_\_\_\_  
CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_  
CONTACT PERSON: \_\_\_\_\_ TELEPHONE NUMBER: \_\_\_\_\_  
EMAIL ADDRESS: \_\_\_\_\_

**DEPARTMENTAL USE ONLY:** \_\_\_\_\_

TAX CERTIFICATE  
Nelda Wells Spears  
Travis County Tax Assessor-Collector  
P.O. Box 1748  
Austin, Texas 78767  
(512) 854-9473

NO 605281

ACCOUNT NUMBER: 02-1700-0101-0000

PROPERTY OWNER:

DURE L FREDERICK & ANN M  
2705 OAKHURST AVE  
AUSTIN, TX 78703-1947

PROPERTY DESCRIPTION:

LOT 10 BLK 2 EDMONT

ACRES 0.000 MIN% .00000 TYPE

SITUS INFORMATION: 2705 OAKHURST AV

This is to certify that after a careful check of tax records of this office, the following taxes, delinquent taxes, penalties and interests are due on the described property of the following tax unit(s):

YEAR	ENTITY	TOTAL
2006	AUSTIN ISD	8,953.58
	CITY OF AUSTIN (TRAV)	2,536.27
	TRAVIS COUNTY	2,212.44
	TRAVIS COUNTY HEALTHCARE DISTRICT	360.95
	ACC (TRAVIS)	587.26

TOTAL SEQUENCE 0

14,650.50

TOTAL TAX:	14,650.50
UNPAID FEES:	* NONE *
INTEREST ON FEES:	* NONE *
COMMISSION:	* NONE *
TOTAL DUE ==>	14,650.50

ALL TAXES PAID IN FULL PRIOR TO AND INCLUDING THE YEAR 2006 EXCEPT FOR UNPAID YEARS LISTED ABOVE.  
The above described property may be subject to special valuation based on its use, and additional rollback taxes may become due. (Section 23.55, State Property Tax Code).  
Pursuant to Section 31.08 of the State Property Tax Code, there is a fee of \$10.00 for all Tax Certificates.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS DATE OF 12/06/2006

Fee Paid: \$10.00

Nelda Wells Spears  
Tax Assessor-Collector

By: 

## D. SUBMITTAL VERIFICATION AND INSPECTION AUTHORIZATION

### SUBMITTAL VERIFICATION

My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that proper City staff review of this application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me/my firm/etc., may delay the proper review of this application.

PLEASE TYPE OR PRINT NAME BELOW SIGNATURE AND  
INDICATE FIRM REPRESENTED, IF APPLICABLE.

Signature

Date

Name (Typed or Printed)

Firm (If applicable)

### INSPECTION AUTHORIZATION

As owner or authorized agent, my signature authorizes staff to visit and inspect the property for which this application is being submitted.

PLEASE TYPE OR PRINT NAME BELOW SIGNATURE AND  
INDICATE FIRM REPRESENTED, IF APPLICABLE.

Signature

Date

Name (Typed or Printed)

Firm (If applicable)

## E. ACKNOWLEDGMENT FORM

concerning  
Subdivision Plat Notes, Deed Restrictions,  
Restrictive Covenants  
and / or  
Zoning Conditional Overlays

I, L Frederick Dure have checked for subdivision plat notes, deed restrictions,  
(Print name of applicant)

restrictive covenants and/or zoning conditional overlays prohibiting certain uses and/or requiring certain development restrictions i.e. height, access, screening etc. on this property, located at

2705 Oakhurst Ave  
(Address or Legal Description)  
Austin 78703

If a conflict should result with the request I am submitting to the City of Austin due to subdivision plat notes, deed restrictions, restrictive covenants and/or zoning conditional overlays it will be my responsibility to resolve it. I also acknowledge that I understand the implications of use and/or development restrictions that are a result of a subdivision plat notes, deed restrictions, restrictive covenants and/or zoning conditional overlays.

I understand that if requested, I must provide copies of any and all subdivision plat notes, deed restrictions, restrictive covenants and/or zoning conditional overlay information which may apply to this property.

Charles Dure  
(Applicant's signature)

1/1/2007  
(Date)

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## F. 1: Historical Documentation - Deed Chronology

### Deed Research for 2705 Oakhurst Avenue

Transaction	Vol./Page
M.C. Parrish, Indiv. As Trustee and Attorney in Fact for C.B. Sullivan to Sam E. Martin, ET UX. Lot 10 Block 2 of Edgemont Addition Sale of Land & Restrictions (enclosed) November 9, 1932 \$370 (\$123.35 cash & \$246.65 installments)	Vol. 486, pp. 367-368 Title Abstract file #261080 For 2705 Oakhurst Avenue
Sam E. Martin, ET UX. To J.A. Shelby Lot 10 Block 2 of Edgemont, part of the Geo. W. Spear League, an addition to The City of Austin Sale of Land December 28, 1934 \$600	Vol. 512, page 300 Title Abstract file #261080
J.A. Shelby ET UX to Milton Burney, Contractor Mechanics Lien (enclosed) For Construction of Home January 2, 1935 (executed) April 8, 1935 (filed) \$3,040	Vol. 495, page 402 Title Abstract file #261080
Milton Burney to R.L. Slaughter Transfer of Mechanics Lien April 4, 1935 (executed) April 8, 1935 (filed & recorded)	Vol. 517, page 349 Title Abstract file #261080
Joe. A. Shelby, ET UX to G. F. Zimmerman, Trustee for R.L. Slaughter April 4, 1935 Deed of Trust Issued Ten (10) Notes payable to R. L. Slaughter, Austin National Bank	Vol. 519, pages 145-149 Title Abstract file #261080